

1 GOVERNMENT OF THE DISTRICT OF COLUMBIA
2 ALCOHOLIC BEVERAGE REGULATION ADMINISTRATION
3 ALCOHOLIC BEVERAGE CONTROL BOARD

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6 IN THE MATTER OF: :

7 AGENDA HEARING :

8 - - - - - :

9

10 Wednesday, February 24, 2016

11 Whereupon, the above-referenced matter

12 came on for hearing at the Alcoholic Beverage

13 Control Board, Reeves Center, 2000 14th Street,

14 N.W., Suite 400S, Washington, D.C. 20009

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1 CHAIRPERSON:

2 DONOVAN W. ANDERSON, Presiding

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4 BOARD MEMBERS:

5 RUTHANNE MILLER

6 NICK ALBERTI

7 MIKE SILVERSTEIN

8 JAMES SHORT

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1 The next matter on our agenda is review
2 request to extend the protest period regarding
3 Capitol Market, License No. 91021. I make a
4 motion that we approve the request to extend the
5 protest period. Is there a second?

6 MR. ALBERTI: Second.

7 CHAIRMAN ANDERSON: Mr. Alberti seconded
8 the motion. Those in favor, say aye.

9 [Chorus of Ayes.]

10 Those opposed.

11 The matter passes 5-0-0.

12 The next matter is to review motion for
13 reinstatement of application for Sol Mexican
14 Grill, License No. 092192. I make a motion that
15 we deny this request. Is there a second?

16 MR. SHORT: Second.

17 CHAIRMAN ANDERSON: Mr. Short has
18 seconded the motion. Those in favor, say aye.

19 [Chorus of Ayes.]

20 Those opposed.

21 The matter pass 5-0-0.

22 We now move to our supplementary legal

1 agenda. The first matter on our agenda is to
2 review a motion for reconsideration of denial of
3 a pub crawl application for Lindy Promotion,
4 dated February 18, 2006 (sic).

5 MR. ALBERTI: Okay. I make a motion that
6 we deny the motion for reconsideration for Lindy
7 Promotions.

8 CHAIRMAN ANDERSON: Is there a second?

9 MR. SHORT: Second.

10 CHAIRMAN ANDERSON: All those in favor
11 say aye.

12 [Chorus of Ayes.]

13 All those opposed.

14 MS. MILLER: Oppose.

15 The matter to deny the application passes
16 3-2 with Mr. Anderson and Ms. Miller in
17 opposition.

18 The next matter is to review request for
19 Off-Site Storage for Sette Osteria, License No.
20 060669. I make a motion that we approve this
21 matter. Is there a second?

22 MR. SHORT: Second.

1 CHAIRMAN ANDERSON: Mr. Short has
2 seconded the motion. Is there a second? I'm
3 sorry. Mr. Short seconded the motion. Those in
4 favor, say aye.

5 [Chorus of Ayes.]

6 Those opposed.

7 The matter passes 5-0-0.

8 The next matter is to review a complaint
9 dated February 19, 2016, for Cher Cher Restaurant
10 and Market, License No. 090311. This matter will
11 be forwarded to the Maryland ABC Committee.

12 Then we now move to our licensing agenda,
13 and the first matter on our licensing agenda is
14 review of application for class change from
15 Retailer B 25 percent to Retailer A liquor for
16 Southeast Market, License No. 089011. This
17 matter will be referred back to licensing for one
18 week.

19 The next matter is a review request for
20 change of hours for 9th & P Street Liquor,
21 License No. 101095. Again, this matter will be
22 referred back to licensing for one week.

1 The next matter on our agenda is a change
2 of hours for Davis Market, License No. 060094. I
3 make a motion that we approve the change in
4 hours. Is there a second?

5 MR. SILVERSTEIN: Second.

6 CHAIRMAN ANDERSON: Mr. Silverstein has
7 seconded the motion. Those in favor, say aye.

8 [Chorus of Ayes.]

9 Those opposed.

10 The matter passes 4-0-0.

11 The next matter is to review application
12 for tasting permit for The Bottle Shop, License
13 No. 100543. I make a motion that this matter be
14 approved. Is there a second?

15 MR. SHORT: Second.

16 CHAIRMAN ANDERSON: Mr. Short has
17 seconded the motion. Those in favor, say aye.

18 [Chorus of Ayes.]

19 Those opposed.

20 The matter passes 4-0-0.

21 The next matter is review of application
22 of manager's license for Denesia L. Wheeler, and

1 this matter will be referred to legal.

2 We now move to a supplementary licensing
3 agenda. The first matter is to review a request
4 for portable bar in existing sidewalk café for
5 Ankara, License No. 097696. The board does not
6 believe -- we're making a motion that the board
7 does not believe that this is a substantial
8 change requiring the board's approval. I make a
9 motion that this is the position of the board.
10 Is there a second?

11 MR. SILVERSTEIN: Second.

12 CHAIRMAN ANDERSON: Mr. Silverstein
13 seconded the motion. Those in favor, say aye.

14 [Chorus of Ayes.]

15 Is there any discussion. I know that --
16 all right. Since there is no discussion -- is
17 there any discussion? I'm sorry. Go ahead, Ms.
18 Miller.

19 MS. MILLER: I just want to note that
20 DEDA has jurisdiction over this portable bar, and
21 I expect that DEDA will be looking at it to
22 determine whether it meets all requirements for

1 safety or other important issues.

2 CHAIRMAN ANDERSON: Thank you. Mr.
3 Silverstein.

4 MR. SILVERSTEIN: Mr. Chairman, as a
5 point of clarification, this means that we have
6 no objection, and that simply by saying we don't
7 have to approve it doesn't mean that we would
8 halt it. We have no objection to it going
9 through.

10 CHAIRMAN ANDERSON: All right. Thank
11 you, Mr. Silverstein. So that matter passes 4-0-
12 0.

13 Next matter on our supplemental licensing
14 agenda is to review motion to reconsider order
15 cancelling licensing and request for
16 reinstatement for Grapes n' Hopes Market,
17 License No. 077268. I make a motion that we
18 approve the request contingent upon submitting
19 the license into safekeeping and payment of all
20 back fees as far as the (inaudible) for a
21 hearing. Is there a second?

22 MR. SILVERSTEIN: Second.

1 CHAIRMAN ANDERSON: Mr. Silverstein has
2 seconded the motion. Those in favor, say aye.

3 [Chorus of Ayes.]

4 Those opposed.

5 The matter passes 4-0-0.

6 The next matter is a review request to
7 remove license from safekeeping status for
8 Chupacabra, License No. 0926692. I make a motion
9 that we agree to remove the licensing from
10 safekeeping. Is there a second for that portion
11 of this request?

12 MS. MILLER: Second.

13 CHAIRMAN ANDERSON: Ms. Miller seconded
14 the motion. Those in favor, say aye.

15 [Chorus of Ayes.]

16 Those opposed.

17 That portion passes 4-0-0.

18 The second portion of the request is they
19 had asked that their -- that we consider their
20 special circumstances, and that we apply the
21 safekeeping fees to the license. And I make a
22 motion that we deny -- we deny the portion of the

1 request regarding applying the safekeeping fees
2 to the renewal of its license. Is there a
3 second?

4 MR. SILVERSTEIN: Second.

5 CHAIRMAN ANDERSON: Mr. Silverstein has
6 seconded the motion. Those in favor, say aye.

7 [Chorus of Ayes.]

8 Those opposed.

9 That matter passes 5-0-0.

10 And the next matter is a review of
11 application for manager's license for Jessica L.
12 Khosravi-Heins, Operator No. 101135. I make a
13 motion that we approve the manager's license for
14 this applicant. Is there a second?

15 MR. SILVERSTEIN: Second.

16 CHAIRMAN ANDERSON: Mr. Silverstein has
17 seconded the motion. Those in favor, say aye.

18 [Chorus of Ayes.]

19 Those opposed.

20 MR. SHORT: Aye.

21 The matter passes 4-1 with Mr. Short
22 opposing the granting of this license.

1 As Chairperson of the Alcoholic Control
2 Board for the District of Columbia and accordance
3 with D.C. Official Code Section 2-574(b) Closed
4 Meetings and Section 2-574 Notice of Meetings of
5 the Open Meetings Act, I move that ABC Board hold
6 a closed meeting on March 2, 2016, for the
7 purpose of discussing and hearing reports
8 concerning ongoing or planned investigations of
9 alleged criminal or civil misconduct or
10 violations of law or regulations and seeking
11 legal advice from our counsel on the board's
12 investigative legal agenda for March 2, 2013, as
13 will be published in the D.C. registry on
14 February 26, 2016. Is there a second?

15 MR. SHORT: Second.

16 CHAIRMAN ANDERSON: Mr. Short has
17 seconded the motion. I will now take a roll call
18 vote on the motion before us now that has been
19 seconded.

20 Ms. Miller?

21 MS. MILLER: Agree.

22 CHAIRMAN ANDERSON: Mr. Alberti?

1 MR. ALBERTI: I agree.

2 CHAIRMAN ANDERSON: Mr. Short?

3 MR. SHORT: I agree.

4 CHAIRMAN ANDERSON: Mr. Silverstein?

5 MR. SILVERSTEIN: I agree.

6 CHAIRMAN ANDERSON: Mr. Anderson?

7 I agree. As it appears that the motion

8 has passed 5-0-0, I hereby give notice that the

9 ABC Board will hold this (inaudible) closed

10 meeting pursuant to the Open Meetings Act.

11 Notice will also be posted on the ABC Board

12 hearing room bulletin board, placed the

13 electronic calendar of ABRA's website, and

14 published in the D.C. Register in a timely manner

15 as practical.

16 We have now adjourned for the day. Thank

17 you.

18 (Whereupon, the session concluded at 4:15

19 p.m.)

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